

WAC 172-191-040 Right of review and inspection. Any student shall have a right, subject to the limitations described below, to inspect and review his or her education records maintained by the university.

(1) The university may require proof of identification such as: A driver's license; university student identification card; or other photographic identification.

(2) The university will comply with a request for access to education records within a reasonable period of time, but not more than forty-five days after it has received the request.

(3) Restrictions:

(a) Financial records of the parents of a student or any information contained therein shall not be made available to the student.

(b) Confidential letters and statements of recommendation, which were placed in a student's education records before January 1, 1975, shall not be made available to the student unless such letters or statements were used for purposes other than those for which they were specifically intended.

(c) Confidential letters and statements of recommendation, which were placed in a student's education records on or after January 1, 1975, shall not be made available to the student if:

(i) The student has waived his or her right to inspect and review those items in accordance with subsection (4) of this section; and

(ii) The letters and statements involved relate to the student's:

(A) Admission to any educational institution;

(B) Application for employment; or

(C) Receipt of an honor or honorary recognition.

(d) The right to review and inspect does not include records made, maintained, or used by the institution that do not constitute an education record.

(e) In the case of any education records relating to a student which also include information regarding another student or students, the right to review and respect is limited to the information related to the student making the request. Responsible university officials will redact any personally identifiable information relating to any other student(s).

(4) Waivers: A student or a person applying for admission may waive his/her right of access to confidential statements described in subsection (3)(c)(ii) of this section.

(a) Such waivers may not be required as a condition for admission or receipt of a service or benefit from the institution.

(b) Such waivers shall apply to recommendations only if:

(i) The student is, upon request, notified of the names of all persons making confidential recommendations; and

(ii) Such recommendations are used solely for the purpose for which they were specifically intended.

(c) Waivers must be in writing and signed and dated by the student.

(d) Waivers may be revoked, in writing, by the student; however, the revocation will be effective only for confidential statements or records dated after the revocation.

(5) Destruction of records: Student education records may be destroyed in accordance with the university's approved retention schedule. In no case will any record which is requested by a student for review in accordance with these regulations be removed or destroyed prior to final disposition of the records request.

[Statutory Authority: RCW 28B.35.120(12). WSR 09-19-064, §
172-191-040, filed 9/14/09, effective 10/15/09.]